

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
Improving Public Safety Communications in)	
the 800 MHz Band)	WT Docket No. 02-55
)	
Consolidating the 900 MHz Industrial/Land)	
Transportation and Business Pool Channels)	
)	

EX PARTE COMMENTS ON THE CONSENSUS PLAN

As requested by the Commission, the National Public Safety Telecommunications Council ("NPSTC") hereby submits comments on the 800 MHz "Consensus Plan".

NPSTC is an umbrella organization representing the full breadth of the public safety community. Its member agencies include:

- American Association of State Highway and Transportation Officials (AASHTO)
- Association of Public Safety Communications Officials – International (APCO)
- Forestry Conservation Communications Association (FCCA)
- International Association of Chiefs of Police (IACP)
- International Association of Emergency Managers (IAEM)
- International Association of Fire Chiefs (IAFC)
- International Municipal Signal Association (IMSA)
- National Association of State Foresters (NASF)

NPSTC was created to encourage and facilitate implementation of the findings and recommendations of the Public Safety Wireless Advisory Committee (PSWAC) - a federal advisory committee jointly established to advise the Federal Communications Commission (Commission) and the National Telecommunications and Information Administration

(NTIA). Specifically, the NPSTC charter directs that NPSTC shall develop and make recommendations to appropriate governmental bodies regarding Public Safety communications issues; shall serve as a standing forum for the exchange of ideas and information regarding Public Safety communications; shall develop recommendations regarding Public Safety communications policies that promote greater interoperability and cooperation between federal, state and local Public Safety agencies; shall identify and promote methods for funding development of Public Safety communications systems; shall sponsor and conduct studies of Public Safety communications and; shall perform such other functions as the Governing Board deems appropriate, consistent with relevant law. Pursuant to the mandate of its charter, NPSTC submits these comments.

NPSTC's member agencies directly represent the public safety users of 800 MHz systems including law enforcement, fire, emergency medical service, and forest wildfire organizations for mission critical activities where interference to their communications can be life threatening and cannot be tolerated. Public safety personnel are the ones whose lives are at risk when communications fail because of interference. Public safety organizations also must divert tax supported personnel from more productive activities to seek resolution of interference when it does occur.

NPSTC members APCO, IACP, and IAFC have joined with representatives of the private wireless community and Nextel Communications to forge a "Consensus Plan" for addressing interference issues in the 800 MHz band. The Consensus Plan provides a process to reconfigure the band to reduce substantially the potential for interference, with significantly less disruption than had originally proposed by Nextel in its "White Paper." Importantly, the plan provides that no public safety licensee will be required to shift

frequencies unless all of its costs are covered. Furthermore, the Plan will yield additional spectrum for public safety in the 800 MHz band, which will provide critically needed capacity to expand existing and construct new interoperable public safety radio systems.

On September 18, 2002, the NPSTC Governing Board met and voted unanimously to support the Consensus Plan. We believe that this is the most effective approach for dealing with the serious interference problems in the 800 MHz band. NPSTC urges the Commission to move as quickly as possible to adopt the necessary rules to implement the Plan.

Respectful Submitted,

s/ Marilyn Ward

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